(3) Receives peanuts as collarteral for, or in settlement of, a price support loan.

(f) *Commingled peanuts.* Peanuts produced on different farms and placed into a single wagon, truck or any other vehicle so that the peanuts become, or can become, intermingled in whole or in part within the same vehicle, or such that it is not possible because of such placement of peanuts to identify the farm on which the individual peanuts were produced.

(g) *Considered produced credit.* To the extent permitted by this subpart, peanuts for which credit for production on the farm is given to a farm when the peanuts were not actually produced or grown on such farm in a current year or one of the base period years.

(h) *Deputy Administrator.* The Deputy Administrator, or acting Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(i) *Director.* The Director, or Acting Director, Tobacco and Peanuts Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(j) *Effective farm poundage quota.* For the 1986–90 crops, the quota determined in accordance with §729.326.

(k) *Excess peanuts.* The quantity of peanuts marketed or considered marketed as quota peanuts from the farm in the current marketing year in excess of the farm's effective farm poundage quota.

(l) *False identification.* The deliberate or inadvertent identification of peanuts at the time of marketing as being produced on a farm when the peanuts were not produced on such farm.

(m) *Farm yield.* The yield for a farm determined in accordance with §729.334.

(n) *Farmers stock peanuts.* Dug peanuts produced in the United States which have not been shelled, crushed, cleaned, or otherwise changed (except for removal of foreign material, loose shelled kernels, and excess moisture) from the condition in which picked or threshed peanuts are customarily marketed by producers.

(o) *Final acreage.* The acreage on the farm on which peanuts are produced as determined and adjusted in accordance with Part 718 of this chapter.

(p) *Green peanuts.* Peanuts which, before drying or removal of moisture from the peanuts either by natural or artifical means, are marketed by the producer for consumption exclusively as boiled peanuts.

(q) *Initial basic farm poundage quota.* The quota determined in accordance with § 729.324.

(r) *Inspector.* A Federal or Federal-State inspector authorized or licensed by the Secretary, U.S. Department of Agriculture to grade peanuts.

(s) *Loan additional peanuts.* Peanuts which are not eligible for marketing as quota peanuts, are not subject to delivery to fulfill a contract for additional peanuts, and which are pledged as collateral for a price support loan at the additional loan rate.

(t) *Marketed.* To dispose of peanuts (including farmers stock peanuts, shelled peanuts, cleaned peanuts, or peanuts in processed form) by voluntary or involuntary sale, barter, or exchange, or by gift *inter vivos.* The terms "market", "marketing", and "for market" shall have corresponding meanings to the term "marketed" in the connection in which they are used. The terms "barter" and "exchange" shall include the use of any quantity of peanuts by the producer as payment to another for any reason including payment for the harvesting, picking, threshing, cleaning, crushing, or shelling of peanuts, or for any other service rendered to the producer. Any lot of farmers stock peanuts will be considered as marketed when delivered by the producer to the buyer. Peanuts which are delivered by the producer as collateral for, or in settlement of, a price support loan will be considered as marketed at the time of delivery. Delivery shall be deemed to have occurred when the peanuts are unloaded at the delivery point. Any peanuts produced on a farm which are retained on the farm after January 31, or such later date as may be established by the Executive Vice President, CCC, of the year following the year in which the peanuts were produced shall be considered as marketed for domestic edible use as of January 31, or such later date.

(u) *Marketing year.* For each crop of peanuts, the period beginning August 1 of the current year and ending July 31 of the following year.

(v) *National poundage quota.* The poundage quota announced by the Secretary for the relevant crop year.

(w) *Nonquota farm.* A farm that does not have an established farm poundage quota.

(x) *Peanuts.* All peanuts produced, excluding:

(1) Any peanuts which were not dug or were not picked or threshed before or after marketing from the farm; and

(2) Green peanuts.

If a lot of farmers stock peanuts has been inspected by the Federal-State Inspection Service at the time of marketing, the quantity in the lot shall be deemed to be the gross weight thereof less foreign material and excess moisture. Excess moisture shall be moisture in excess of 7 percent of gross weight for the lot. For peanuts not inspected by the Federal-State Inspection Service, the quantity in the lot shall be deemed to be the gross weight. The quantity of the lot when shelled peanuts are marketed by a producer shall be deemed to be the poundage of the shelled peanuts multiplied by a factor of 1.5.

(y) *Planted acreage.* The final acreage of peanuts on a farm determined in accordance with the provisions of Part 718.

(z) *Preliminary farm poundage quota.* The quota quantity as determined for a farm in accordance with § 729.323.

(aa) *Produced peanuts.* Notwithstanding any other provision of this subpart, the total peanuts produced shall be the total pounds of peanuts dug.

(bb) *Quota farm.* A farm having a farm poundage quota.

(cc) *Quota peanuts.* Peanuts (except green peanuts) which are marketed or considered marketed from a farm for domestic edible use. Quota peanuts shall be considered to be all peanuts which are dug on a farm except the following:

(1) Green peanuts;

(2) Peanuts which are placed under loan at the additional support rate and not redeemed by the producer;

(3) Peanuts which are marketed under a contract, which had prior approval of the county committee, between a handler and a producer for exportation and/or crushing;

(4) Peanuts considered marketed but because of conditions beyond the control of the producer, as determined by the county committee in accordance with instructions issued by the Deputy Administrator, had no commercial value at the time the peanuts were marketed.

(dd) *Seed sheller.* A person who in the course of such person's usual business operations shells peanuts for producers for use as seed for the subsequent year's crop.

(ee) *Segregation 1 peanuts.* Peanuts of that segregation as identified and determined by the Federal-State Inspection Service.

(ff) *Tillable cropland.* Cropland (excluding orchards, vineyards, land devoted to trees, and land being prepared for nonagricultural uses) which the county committee determines can be planted to crops without unusual preparation or cultivation.

(gg) *Undermarketings.* The number of pounds determined to be undermarketed in accordance with the provisions of § 729.333.

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